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Attorneys for Defendant
ADZILLA, INC.
(erroneously named herein as "ADZILLA, INC. [NEW MEDIA]")

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN SIMON, an individual on behalf of
herself and all other similarly situated,

Plaintiff,

v.

ADZILLA, INC. [NEW MEDIA], a Delaware
Corporation; CONDUCTIVE
CORPORATION, a Delaware Corporation;
CONTINENTAL VISINET BROADBAND,
INC., a Delaware Corporation; CORE
COMMUNICATIONS, INC., d/b/a
CORETEL COMMUNICATIONS, INC., a
Delaware Corporation; and JOHN DOES 1-
50, Corporations Defendants,

Defendant.

Case No. 3:09-CV-00879 MMC

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE SECOND
CASE MANAGEMENT
CONFERENCE; ORDER THEREON**

~~Date: March 12, 2010~~

Time: 10:30 a.m.

Judge: Hon. Maxine M. Chesney

Pursuant to Local Rule 6-2, Plaintiff Susan Simon ("Simon") and Defendant Adzilla, Inc. ("Adzilla") hereby stipulate and agree as follows:

1. An initial Case Management Conference ("CMC") was held in the above-captioned action on October 9, 2009. At that hearing the Court ordered a second CMC for January 29, 2010 at 10:30 a.m., and also ordered that the parties complete private mediation by January 29, 2010.

2. On January 25, 2010, the Court continued the second CMC to March 12 in response to a stipulation by counsel regarding mediation.

3. The parties participated in a day-long mediation session on February 22, 2010. The parties were able to advance settlement discussions, and scheduled a follow up mediation session for March 19, 2010. The mediator's report is attached hereto as Exhibit A.

4. The parties accordingly request continuation of the March 12 CMC for an additional 2-3 week period, to enable them to complete the mediation process and determine whether settlement is feasible.

5. In the event the parties are unable to resolve the case through mediation, they will be prepared to attend the rescheduled CMC in April.

Dated: March 3, 2010

COOLEY GODWARD KRONISH LLP
MICHAEL G. RHODES
BEATRIZ MEJIA
GAVIN L. CHARLSTON

/s/ Gavin L. Charlston

Gavin L. Charlston
Attorneys for Defendant
ADZILLA, INC.

1 Dated: March 3, 2010

KAMBERLAW LLC
SCOTT A. KAMBER
DAVID A. STAMPLEY

3
4 /s/ Scott A. Kamber

5 Scott A. Kamber
6 Attorneys for Plaintiff
7 SUSAN SIMON

8 PURSUANT TO STIPULATION, IT IS SO ORDERED: That the second Case Management
9 Conference, currently scheduled for March 12, 2010, is hereby continued to
10 April 9, 2010, and the parties' joint
11 Case Management Conference Statement is due April 2, 2010.

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14 DATED: April 4, 2010


15 HON. MAXINE M. CHESNEY
16 United States District Judge
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FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FEB 25 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

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Defendant.

Case No. 3:09-CV-00879 MMC

MEDIATOR'S REPORT TO COURT

Please be advised that the above styled case was mediated on February 22, 2010.

While the case did not resolve, sufficient progress was made such that the parties and
their counsel have agreed to reconvene the mediation on March 19, 2010.

Please consider this an interim report, and I will file a final report upon conclusion of our
process.

Respectfully submitted,



Rodney A. Max

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